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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,003	02/26/2002	Stephen F. Tarr	D/A2011	4295

7590 03/25/2005

Patent Documentation Center
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Xerox Square 20th Floor
100 Clinton Ave. S.
Rochester, NY 14644

EXAMINER

TRAN, PHILIP B

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,003

Applicant(s)

TARR, STEPHEN F.

Examiner

Philip B Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/22/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ekstrom et al (Hereafter, Ekstrom), WO 98/18306 in view of Barnard et al (Hereafter, Barnard), U.S. Pat. Application No. US 2003/0005100 A1.

Regarding claim 1, Ekstrom teaches a method of locating devices on a network (= network topology) [see Abstract], comprising:

identifying a group name which may be associated with multiple addresses on the network and creating a list of known subnet and known devices on the network (= managing and determining devices in the network and categorizing device's type and creating a subnet device list) [see Figs. 2-4 & 10-11 and Pages 10-11 and Page 18];

querying for a list of IP addresses associated with the group name, contacting each returned address associated with the group name for the discovered device's IP subnet information (= querying device addresses) [see Page 5 and Page 18];

determining the discovered device's subnet and adding the discovered device and its subnet to the list (= determining the device type and put the device in subnet device list) [see Fig. 4 and Page 18].

Ekstrom does not explicitly teach a list of known subnets. However, Ekstrom does disclose different LANs [see Fig. 2] and distinct regions or subsets of the network [see Page 1]. This suggests that there is a plurality of subnets in the network.

Barnard, in the same field of discovery and management of devices in the network endeavor, discloses a list of subnets and associated devices in the network [see Barnard, Figs. 7 & 17-18]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Barnard into the teaching of Ekstrom in order to manage the list of subnets and associated devices of each subnet more efficiently by identifying, in a quicker fashion, specific devices and the exact location of the devices wherein the problems being occurred.

In addition, Ekstrom does not explicitly teach a name server. Barnard, in the same field of discovery and management of devices in the network endeavor, discloses a network management device working like a server for discovering and managing devices in the subnets of the network by obtaining and using a list of assigned IP addresses from a Domain Name Server (DNS) on the network [see Barnard, Abstract and Figs. 7 & 17-18 and Paragraphs [0009-0010 and 0059]]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Barnard into the teaching of Ekstrom in order to provide a list of IP addresses associated with each group of devices in the network and thus enable the process of identifying, in a quicker fashion, specific devices and the exact location of the devices wherein the problems being occurred.

Regarding claim 2, Ekstrom further teaches the method of claim 1, further comprising using another discovery protocol to find additional devices on each identified subnet and adding each discovered device to the list [see Pages 5 & 10].

Regarding claim 3, Ekstrom further teaches the method of claim 1, wherein the discovered device's IP subnet information comprises its IP netmask and its IP router address [see Pages 13 & 21 & 24].

Regarding claim 4, Ekstrom further teaches the method of claim 1, wherein the group name comprises one or more of a device manufacturer, a model name and a model number [see Pages 11 & 13].

Regarding claim 5, Ekstrom further teaches the system of claim 2, wherein the discovery protocol comprises a broadcast-based discovery protocol [see Page 5].

Claims 6-9 are rejected under the same rationale set forth above to claims 1-4.

Regarding claim 10, neither Ekstrom nor Barnard explicitly teaches the system of claim 6, wherein the name server comprises a WINS server. However, it would have been obvious to one skilled in the art to implement WINS server as one of design choices to utilize a system of Microsoft's propriety implementation of the NetBIOS Name Service for supporting "group name" registration in the network.

Claim 11 is rejected under the same rationale set forth above to claim 5.

Other References Cited

3. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

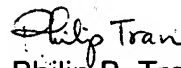
- A) Novaes, U.S. Pat. No. 6,735,200.
- B) Block et al, U.S. Pat. No. 6,192,417.
- C) Gubbi, U.S. Pat. No. 6,480,506.
- D) Woundy, U.S. Pat. No. 6,009,103.
- E) Bondi, U.S. Pat. No. 5,710,885.
- F) Shaffer et al, U.S. Pat. No. 6,249,814.
- G) Nelson et al, U.S. Pat. No. 6,583,720.
- H) Boyles et al, U.S. Pat. No. 5,511,208.
- I) Wu, U.S. Pat. No. 5,185,860.
- J) Gaspard et al, U.S. Pat. Application No. US 2003/0112,765 A1.
- K) Eatough et al, U.S. Pat. Application No. US 2003/0039215 A1.
- L) Richard, U.S. Pat. Application No. US 2002/0013807 A1.
- M) Galin et al, U.S. Pat. Application No. US 2005/0030955 A1.
- N) Chen, U.S. Pat. Application No. US 2003/0097425 A1.

4. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (571) 272-3978.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.


Philip B. Tran
Art Unit 2155
March 15, 2005